

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:06-CR-411 CEJ
)
DALE BIRMINGHAM,)
)
Defendant.)

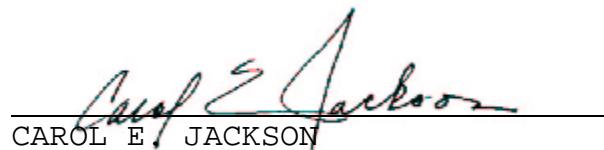
ORDER

Pursuant to 28 U.S.C. § 636(b), the Court referred all pretrial matters in this case to United States Magistrate Judge David D. Noce for determination and recommended disposition, where appropriate. On August 30, 2006, Judge Noce issued a Report and Recommendation in which he recommended denial of the motions filed by defendant Dale Birmingham to suppress evidence and statements. No objections to the Report and Recommendation have been filed, and the time allowed for doing so has expired.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge David D. Noce is sustained, adopted, and incorporated herein.

IT IS FURTHER ORDERED that the motion of defendant Dale Birmingham to suppress evidence and statements [Doc. # 17] and motion to suppress evidence [#29] are **denied**.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of October, 2006.